

## TITLE 326 AIR POLLUTION CONTROL BOARD

**Emergency Rule**  
LSA Document #12-467(E)

DIGEST

Temporarily amends [326 IAC 1-4](#) to add the federal designation for part of Dearborn County including Lawrenceburg Township, Lake County, and Porter County to nonattainment of the 2008 8-hour ozone (O<sub>3</sub>) standard. Statutory authority: [IC 4-22-2-37.1](#)(a)(13). Effective August 9, 2012.

SECTION 1. (a) This SECTION supersedes [326 IAC 1-4-16](#).

(b) The following attainment status designations are applicable to Dearborn County:

Pollutant	Designation
SO <sub>2</sub>	Cannot be classified.
CO	Unclassifiable or attainment effective November 15, 1990.
O <sub>3</sub>	Nonattainment effective July 20, 2012, for the 8-hour ozone standard. <sup>1</sup>
PM <sub>2.5</sub>	Attainment effective December 23, 2011, for the annual PM <sub>2.5</sub> standard for Lawrenceburg Township.
PM <sub>10</sub>	Unclassifiable effective November 15, 1990.
NO <sub>2</sub>	Cannot be classified or better than national standards.
Pb	Not designated.
<sup>1</sup> Unclassifiable or attainment effective October 18, 2000, for the 1-hour ozone standard which was revoked effective June 15, 2005.	

SECTION 2. (a) This SECTION supersedes [326 IAC 1-4-46](#).

(b) The following attainment status designations are applicable to Lake County:

Pollutant	Designation
SO <sub>2</sub>	Better than national standards.
CO	Attainment effective February 18, 2000, for the part of the city of East Chicago bounded by Columbus Drive on the north; the Indiana Harbor Canal on the west; 148th Street, if extended, on the south; and Euclid Avenue on the east. Unclassifiable or attainment effective November 15, 1990, for the remainder of East Chicago and Lake County.
O <sub>3</sub>	40 CFR 81.315 as amended by 77 FR 34228. <sup>1,2</sup>
PM <sub>2.5</sub>	Attainment effective February 6, 2012, for the annual PM <sub>2.5</sub> standard.
PM <sub>10</sub>	Attainment effective March 11, 2003, for the cities of East Chicago, Hammond, Whiting, and Gary. Unclassifiable effective November 15, 1990, for the remainder of Lake County.
NO <sub>2</sub>	Cannot be classified or better than national standards.
Pb	Not designated.
<sup>1</sup> Nonattainment Severe 17 effective November 15, 1990, for the Chicago-Gary-Lake County area for the 1-hour ozone standard which was revoked effective June 15, 2005.	
<sup>2</sup> The department is filing a legal challenge to U.S. EPA's designation in 77 FR 34228 and seeking a stay of effectiveness of this designation.	

SECTION 3. (a) This SECTION supersedes [326 IAC 1-4-65](#).

(b) The following attainment status designations are applicable to Porter County:

Pollutant	Designation
-----------	-------------

<b>SO<sub>2</sub></b>	Cannot be classified for the area bounded on the north by Lake Michigan; on the west by the Lake County and Porter County line; on the south by I-80 and I-90; and on the east by the LaPorte County and Porter County line. The remainder of Porter County is better than national standards.
<b>CO</b>	Unclassifiable or attainment effective November 15, 1990.
<b>O<sub>3</sub></b>	40 CFR 81.315 as amended by 77 FR 34228. <sup>1,2</sup>
<b>PM<sub>2.5</sub></b>	Attainment effective February 6, 2012, for the annual PM <sub>2.5</sub> standard.
<b>PM<sub>10</sub></b>	Unclassifiable effective November 15, 1990.
<b>NO<sub>2</sub></b>	Cannot be classified or better than national standards.
<b>Pb</b>	Not designated.
<sup>1</sup> Nonattainment Severe 17 effective November 15, 1990, for the Chicago-Gary-Lake County area, including Porter County, for the 1-hour ozone standard which was revoked effective June 15, 2005.	
<sup>2</sup> The department is filing a legal challenge to U.S. EPA's designation in 77 FR 34228 and seeking a stay of effectiveness of this designation.	

SECTION 4. A variance request from the requirements of this document shall be made in accordance with [IC 13-14-8-8](#).

LSA Document #12-467(E)

Filed with Publisher: August 9, 2012, 8:53 a.m.

Posted: 08/15/2012 by Legislative Services Agency

An [html](#) version of this document.